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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takaaki ENOMOTO et al.

Group Art Unit: 3661

Application No.: 10/656,193

Examiner: T. NGUYEN

Filed: September 8, 2003

Docket No.: 117027

For: VEHICLE OCCUPANT PROTECTION APPARATUS

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 20, 2005 Election of Species Requirement, Applicants provisionally elect Species 1, claim 1 (Fig. 2), drawn to adjusting seat belt tension based on predicted crash and the status of the occupants (driver or passenger), with traverse.

It is respectfully submitted that the subject matter of all claims 1-7 is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: September 20, 2005

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